

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ANNA GAFFNEY, and EDWARD
GAFFNEY, SR.,

Plaintiffs,

v.

JETBLUE AIRLINES, INC., et al.,

Defendants.

Civil Action No.:
10-1713 (PGS)

MEMORANDUM AND ORDER

WHEREAS on April 5, 2010, plaintiffs Anna Gaffney and Edward Gaffney (collectively “Plaintiffs”) filed a complaint against JetBlue Airlines, Inc.’s (“JetBlue”); and

WHEREAS Plaintiffs’ complaint states that on December 8, 2008, Ms. Gaffney tripped and fell over an unattended wheelchair at the boarding area of Gate D6 of the Fort Meyers International Airport in Fort Meyers, Florida and that as a result of the fall, Ms. Gaffney was severely injured; and

WHEREAS Plaintiffs claim that Ms. Gaffney’s injuries were caused by JetBlue’s negligence; and

WHEREAS Defendants moved for summary judgment [Docket Entry No. 25], arguing, among other things, that Plaintiffs have not met their burden of proving that Ms. Gaffney’s injuries were caused by JetBlue’s negligence, *see* Opp’n Br. 13-16 (citing *Vuocolo v. Diamond Shamrock Chemicals Co.*, 473 A.2d 196 (N.J. Super. Ct. App. Div. 1990)); and

WHEREAS Plaintiffs have not produced any evidence from medical doctors that Ms. Gaffney’s injuries were caused by or related to her fall as opposed to her preexisting conditions; and

WHEREAS fact discovery in this matter was closed as of April 8, 2011 [Docket Entry No. 22];

IT IS on this 26th day of March, 2012,

ORDERED that JetBlue's motion for summary judgment [Docket Entry No. 25] is granted;
and

ORDERED that Plaintiffs' complaint is dismissed without prejudice and this case is closed.

s/Peter G. Sheridan
PETER G. SHERIDAN, U.S.D.J.